

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MARY C. DeVANY, dba, DeVANY  
INDUSTRIAL CONSULTANTS,

Plaintiff,

vs.

JERRY MEUNIER, JUSTIN WOODS, RAUL  
R. BENCOMO, FRANK J. D'AMICO, JR.,  
ANTHONY G. BUZBEE, MATTHEW  
MORELAND, LINDA NELSON, and  
MIKAL WATTS,

Defendants.

**CIVIL ACTION NO.**

**COMPLAINT**

**PARTIES TO THIS COMPLAINT:**

**Plaintiff:**

Mary C. DeVany  
DeVany Industrial Consultants  
14507 NW 19th Ave  
Vancouver, WA 98685-8003  
Telephone: (360) 546-0999

**Defendants:**

Jerry Meunier  
Justin Woods  
Gainsburgh, Benjamin, David, Meunier &  
Warshauer, LLC  
2800 Energy Centre  
1100 Poydras Street  
New Orleans, LA 70163-2800  
Telephone: (504) 522-2304

Raul R. Bencomo  
Bencomo & Associates  
639 Loyola Avenue  
New Orleans, LA 70113  
Telephone: (504) 529-2929

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3 622 Baronne Street  
4 New Orleans, LA 70113  
5 Telephone: (504) 252-7272

Linda Nelson  
Lambert & Nelson  
701 Magazine Street  
New Orleans, LA 70130-3629  
Telephone: (504) 581-1750

5 Anthony G. Buzbee  
6 Buzbee Law Firm  
7 600 Travis, Suite 7300  
8 Houston, TX 77002  
9 Telephone: (713) 223-5393

Mikal Watts  
Watts Guerra Craft  
Bank of America Plaza, Suite 100  
300 Convent Street  
San Antonio, TX 78205

9 Matthew Moreland  
10 Becnel Law Firm, LLC  
11 P. O. Drawer H  
12 106 W. Seventh Street  
13 Reserve, LA 70084  
14 Telephone: (985) 536-1186

#### JURISDICTION:

14 1. Plaintiff, Mary C. DeVany is a citizen of Washington. She owns and operates at  
15 Vancouver, Washington a business under the assumed business name of DeVany Industrial  
16 Consultants. DeVany Industrial Consultants provides international public and private consulting  
17 in the fields of occupational safety, industrial hygiene, environmental safety and community  
18 health.

19 2. Defendants Jerry Meunier, Justin Woods, Raul R. Bencomo, Frank J. D'Amico,  
20 Jr., Matthew Moreland, and Linda Nelson are all citizens of Louisiana. Each of them is an  
21 attorney licensed by the State of Louisiana to practice law.

22 3. Defendants Anthony G. Buzbee and Mikal Watts are citizens of Texas. Each of  
23 them is an attorney licensed to practice law by the State of Texas.

24 4. Defendants were retained by persons who were supplied temporary housing units  
25 ("THU's") as shelter by the Federal Emergency Management Agency (FEMA) along the Gulf  
26 Coast of the United States in the wake of Hurricanes Katrina and Rita. Defendants have brought

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1 claims against FEMA and various THU manufacturers on behalf of their clients, alleging that  
2 such persons were exposed to excessive levels of formaldehyde as a result of living in the FEMA  
3 provided THU's.

4 5. Thereafter, the individual defendants were each appointed by Order of the United  
5 States District Court for the Eastern District of Louisiana to the Plaintiff's Steering Committee  
6 ("PSC") in the matter of In Re: FEMA Trailer Formaldehyde Products Liability Litigation,  
7 Multi-District Litigation No. 1873. The members of the PSC were each charged by the Court to  
8 initiate, coordinate, and conduct all pretrial discovery on behalf of plaintiffs in all actions which  
9 were consolidated with that Multi-District Litigation.

10 6. During 2007, one or more of the individual defendants, acting as the agent for all  
11 members of the PSC, contacted, solicited and retained plaintiff at Vancouver, Washington to  
12 evaluate the potential for formaldehyde exposures to defendants' clients and other similarly  
13 situated plaintiffs whose actions were consolidated with the Multi-District Litigation.

14 7. Defendants thereafter made multiple requests for a course of services from  
15 plaintiff, including requests that she:

16 a. Survey current formaldehyde exposure limits and explain to the PSC their  
17 basis, application, and limitations;

18 b. Survey and review the adverse health effects from formaldehyde exposure,  
19 explain these effects to the PSC, and assist the PSC in determining the extent of these adverse  
20 health effects in occupants of temporary housing units issued by FEMA;

21 c. Develop and provide to the PSC a sampling methodology and  
22 measurement strategy for determining formaldehyde contamination in FEMA-issued THU's as  
23 well as a selection basis for specific THU sampling; and

24 d. Supervise and conduct testing of THU's for formaldehyde levels,  
25 including data collection, analysis of the sampling results, interpretation of the findings, and  
26 provision to the PSC of conclusions and recommendations drawn from such studies.

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DEMAND FOR JURY TRIAL:

Plaintiff hereby demands trial by jury.

Dated this 4th day of May, 2009.

By: 

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